

**ACTION:** Notice of exemption.

**SUMMARY:** The Board exempts from the prior approval requirements of 49 U.S.C. 10903-04 the abandonment by Consolidated Rail Corporation of 3.2 miles of rail line in Lebanon County, PA, subject to trail use, public use, and standard labor protective conditions.

**DATES:** Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on August 24, 1996. Formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2) <sup>2</sup> and requests for interim trail use/rail banking under 49 CFR 1152.29 must be filed by August 5, 1996, petitions to stay must be filed by August 9, 1996, and petitions to reopen must be filed by August 19, 1996.

**ADDRESSES:** Send pleadings referring to Docket No. AB-167 (Sub-No. 1156X) to: (1) Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, NW., Washington, DC 20423, and (2) Petitioner's representative: John J. Paylor, Consolidated Rail Corporation, 2001 Market St.—16A, Philadelphia, PA 19101-1416.

**FOR FURTHER INFORMATION CONTACT:** Beryl Gordon, (202) 927-5660. [TDD for the hearing impaired: (202) 927-5721.]

**SUPPLEMENTARY INFORMATION:** Additional information is contained in the Board's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: DC News & Data, Inc., Room 2229, 1201 Constitution Avenue, NW., Washington, DC 20423. Telephone: (202) 289-4357/4359. [Assistance for the hearing impaired is available through TDD services (202) 927-5721.]

Decided: July 11, 1996.

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Commission (ICC) and transferred certain functions and proceedings to the Surface Transportation Board (Board). Section 204(b)(1) of the ICCTA

provides, in general, that proceedings pending before the ICC on the effective date of that legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the ICCTA. This notice relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 10502 and 10903-04. Therefore, this notice applies the law in effect prior to the ICCTA, and citations are to the former sections of the statute, unless otherwise indicated.

<sup>2</sup> See Exempt. of Rail Abandonment—Offers of Finan. Assist., 4 I.C.C.2d 164 (1987).

By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen.

Vernon A. Williams,  
Secretary.

[FR Doc. 96-18906 Filed 7-24-96; 8:45 am]

BILLING CODE 4915-00-P

**[STB Docket No. AB-167 (Sub-No. 1158X)]**

**Consolidated Rail Corporation;  
Abandonment Exemption—in Hudson  
County, NJ**

In the Matter of an Offer of Financial Assistance.

**AGENCY:** Surface Transportation Board, DOT.

**ACTION:** Notice of exemption.

**SUMMARY:** The Board exempts from the prior approval requirements of 49 U.S.C. 10903 the abandonment by Consolidated Rail Corporation of approximately 0.90 miles of rail line between milepost 0.00 and milepost 0.90 in Hudson County, NJ, subject to standard labor protective conditions. G.A.C. Kearny, Inc., has filed a formal offer of financial assistance (OFA) to purchase a portion of the line extending between milepost 0.00 and milepost 0.44. Therefore, the effective date of the exemption authorizing abandonment as to this portion of the line will be postponed pending completion of the OFA process.

**DATES:** Provided no formal expression of intent to file an OFA has been received, this exemption will be effective on August 9, 1996. Formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),<sup>2</sup> petitions to stay, and requests for a public use condition conforming to 49 CFR 1152.28(a)(2) must be filed by August 5, 1996. Petitions to reopen must be filed by August 19, 1996.

**ADDRESSES:** Send pleadings referring to STB Docket No. AB-167 (Sub-No. 1158X) to: (1) Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, NW., Washington, DC 20423, and (2) Petitioner's representative: John J. Paylor, Consolidated Rail Corporation, 2001 Market St.—16A, Philadelphia, PA 19101-1416.

The ICC Termination Act of 1995, Public Law 104-88, 109 Stat. 803 (ICCTA), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions and proceedings to the Surface Transportation Board (Board). Section 204(b)(1) of the ICCTA provides, in general, that proceedings pending before the ICC on the effective date of that legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the ICCTA. This notice relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 10502 and 10903-04. Therefore, this notice applies the law in effect prior to the ICCTA, and citations are to the former sections of the statute, unless otherwise indicated.

<sup>2</sup> See Exempt. of Rail Abandonment—Offers of Finan. Assist., 4 I.C.C.2d 164 (1987).

**FOR FURTHER INFORMATION CONTACT:** Beryl Gordon, (202) 927-5660. [TDD for the hearing impaired: (202) 927-5721.]

**SUPPLEMENTARY INFORMATION:**

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Decided: July 18, 1996.

By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen.

Vernon A. Williams,  
Secretary.

[FR Doc. 96-18907 Filed 7-24-96; 8:45 am]

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**[Docket No. AB-385 (Sub-No. 2X)]**

**Georgia Southwestern Division, South  
Carolina Central Railroad;  
Abandonment Exemption; Between  
Preston and Omaha, GA**

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice of exemption.

**SUMMARY:** The Board, under 49 U.S.C. 10505, exempts from the prior approval requirements of 49 U.S.C. 10903-04, the abandonment by the Georgia Southwestern Division, South Carolina Central Railroad of a 40-mile segment of rail line between milepost 713 at Preston and milepost 753 at Omaha in Webster and Stewart Counties, GA, subject to environmental conditions and standard labor protective conditions.

**DATES:** Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective August 24, 1996. Formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2)

<sup>1</sup> The ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803 (ICCTA), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions and proceedings to the Surface Transportation Board (Board). Section 204(b)(1) of the ICCTA provides, in general, that proceedings pending before the ICC on the effective date of that legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the ICCTA. This notice relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 10502 and 10903-04. Therefore, this notice applies the law in effect prior to the ICCTA, and citations are to the former sections of the statute, unless otherwise indicated.